

AMENDED IN ASSEMBLY APRIL 21, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

**ASSEMBLY BILL**

**No. 996**

**Introduced by Assembly Member Ridley-Thomas**

February 22, 2005

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An act to add Section 12317 to the Penal Code, relating to ammunition.

LEGISLATIVE COUNSEL'S DIGEST

AB 996, as amended, Ridley-Thomas. Ammunition: storage and sale.

Existing law makes it a crime to sell ammunition to a minor, or ammunition designed for a handgun to anyone under 21 years of age.

This bill would ~~authorize the Department of Justice to adopt regulations governing the safe storage and sale of ammunition.~~ *provide that no retail seller of ammunition shall sell, offer for sale, or display for sale, any ammunition in a manner that allows the ammunition to be accessible to a purchaser without the assistance of the retailer or employee thereof. The bill would also provide that violation of these provisions is an infraction or a misdemeanor. The bill would allow local regulation of retail sale of ammunition that is not inconsistent with these provisions.*

*By creating a new crime, this bill would impose a state-mandated local program.*

*The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that no reimbursement is required by this act for a specified reason.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: ~~no~~-yes.

*The people of the State of California do enact as follows:*

1     ~~SECTION 1. Section 12317 is added to the Penal Code, to~~  
2     ~~read:~~  
3     ~~12317. The Department of Justice may adopt regulations~~  
4     ~~governing the safe storage and sale of ammunition.~~  
5     ~~SECTION 1. Section 12317 is added to the Penal Code, to~~  
6     ~~read:~~  
7     ~~12317. (a) No retail seller of ammunition shall sell, offer for~~  
8     ~~sale, or display for sale, any ammunition in a manner that allows~~  
9     ~~the ammunition to be accessible to a purchaser without the~~  
10    ~~assistance of the retailer or employee thereof.~~  
11    ~~(b) Violation of this section is punishable as an infraction with~~  
12    ~~a fine of five hundred dollars (\$500), or as a misdemeanor.~~  
13    ~~(c) The Attorney General is authorized to adopt regulations to~~  
14    ~~enforce and further the provisions of this section.~~  
15    ~~(d) Nothing in this section shall prohibit any ordinance or~~  
16    ~~other law adopted by a local government regulating the retail~~  
17    ~~sale of ammunition, including provisions that are more strict~~  
18    ~~than the provisions this section, provided any local provisions~~  
19    ~~are not inconsistent with the provisions of this section.~~  
20    ~~SEC. 2. No reimbursement is required by this act pursuant to~~  
21    ~~Section 6 of Article XIII B of the California Constitution because~~  
22    ~~the only costs that may be incurred by a local agency or school~~  
23    ~~district will be incurred because this act creates a new crime or~~  
24    ~~infraction, eliminates a crime or infraction, or changes the~~  
25    ~~penalty for a crime or infraction, within the meaning of Section~~  
26    ~~17556 of the Government Code, or changes the definition of a~~  
27    ~~crime within the meaning of Section 6 of Article XIII B of the~~  
28    ~~California Constitution.~~